

BILL NO. Z-72-09-17

ZONING ORDINANCE NO. Z-*Withdrawn*

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC-18.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B4 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. CC-18 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the Southwest quarter of Section 34, Township 30 North, Range 12 East in Allen County, Indiana, more particularly described as follows, to-wit:

Beginning at a point 40 feet East of the Northwest corner of the South half of the Southwest quarter of Section 34, Township 30 North, Range 12 East in Allen County, Indiana, said point being also situated on the East right of way line of State Road 1; thence North 362 feet along said East right of way line of State Road 1; thence East 535 feet parallel to the South line of the North half of Southwest quarter; thence South 847 feet parallel to West line of Southwest quarter to the North right of way of Baer Field Expressway; thence Southwest and Northwest 572 feet along said right of way of Expressway to the East right of way line of State Road 1; thence North along said East right of way line of State Road 1 a distance of 400 feet to a point 60 feet East of West line of Section 34; thence West 20 feet; thence North 170 feet parallel with said West line of Section 34 to the place of beginning, containing 11.36 acres, more or less.

AND ALSO

Part of the South half of the Southwest quarter of Section 34, Township 30 North, Range 12 East in Allen County, Indiana, more particularly described as follows, to-wit:

Beginning at a point 575 feet East and 20 feet North of the Southwest corner of the Southwest quarter of Section 34, Township 30 North, Range 12 East in Allen County, Indiana; thence North 650 feet parallel to West line of Southwest Quarter to the South right of way line of Baer Field Expressway; thence Southwest 225 feet along said right of way to a point 93.5 feet Southeast of centerline of expressway; thence continuing Southwest 145 feet along right of way to a point 100.42 feet Southeast of centerline of expressway; thence continuing Southwest 103 feet along said

APPROVED AS TO FORM
AND LEGALITY

Don H. Logan
Attorney

right of way to a point 113 feet Southeast of centerline of expressway; thence Southwest 140 feet along said right of way to a point on the East right of way line of State Road 1, said point being 72 feet East of the centerline of State Road 1; thence South 225 feet along East right of way line of State Road 1 to a point 72 feet East of said centerline; thence Southeast 145 feet along said East right of way line of State Road 1 to a point 177 feet East of said centerline and 20 feet North of the South line of Section 34; thence East 363 feet parallel to said South line of Section to the point of beginning, containing 5.81 acres, more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus
Councilman

Read the first time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, read the second time by title and referred to the Committee on Regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on the _____ day of _____, 19____, at _____ o'clock P.M., E.S.T.

Date: 9-26-72

Charles A. Talarico
CITY CLERK

Read the third time in full and on motion by _____ seconded by _____ and duly adopted, placed on its passage.
Passed (LOST) by the following vote:

AYES _____	NAYS _____	ABSTAINED _____	ABSENT _____	to-wit:
Burns _____	_____	_____	_____	
Hinga _____	_____	_____	_____	
Kraus _____	_____	_____	_____	
Nuckols _____	_____	_____	_____	
Moses _____	_____	_____	_____	
Schmidt, D. _____	_____	_____	_____	
Schmidt, V. _____	_____	_____	_____	
Stier _____	_____	_____	_____	
Talarico _____	_____	_____	_____	

Withdrew

Date _____

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 19____.

ATTEST:

(SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____-at the hour of _____ o'clock ____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 19____ at the hour of _____ o'clock _____ m., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 26, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-09-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 16, 1972;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 27, 1972.

Certified and signed this
11th day of December, 1972



George H. Roser
Secretary

Bill No. Z-72-09-17

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. CC-18

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Withdrawn ~~PASS~~.

Eugene Kraus, Jr.

James S. Stier

William T. Hinga

Paul M. Burns

Vivian G. Schmidt

Eugene Kraus, Jr.

James S. Stier

William T. Hinga

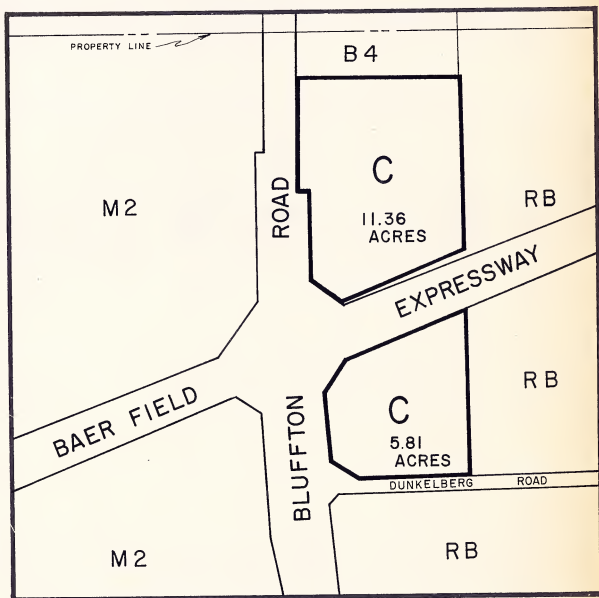
DATE 12-28-72 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

N^o 158

GENERAL FUND

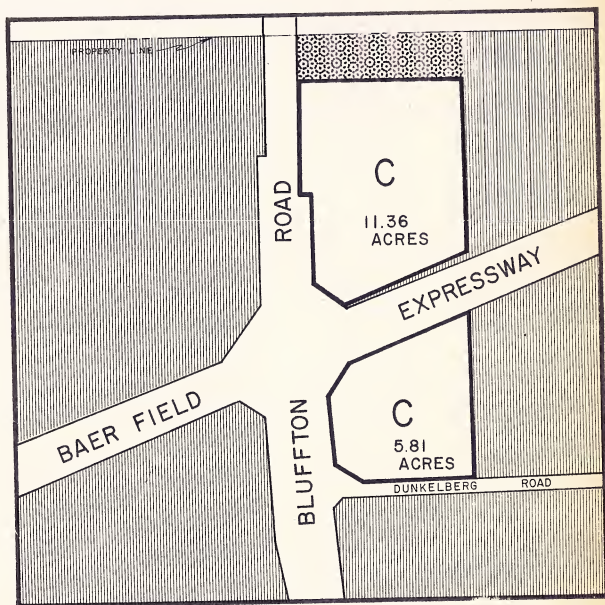
FT. WAYNE, IND., Aug 28 1972RECEIVED FROM Hagerman \$ 50.00THE SUM OF Fifty dollars ⁰⁰ DOLLARSON ACCOUNT OF Bluffton Rd Eside ¹⁰⁰Velma Freeze
AUTHORIZED SIGNATURE



C CHANGE FROM RB TO B4

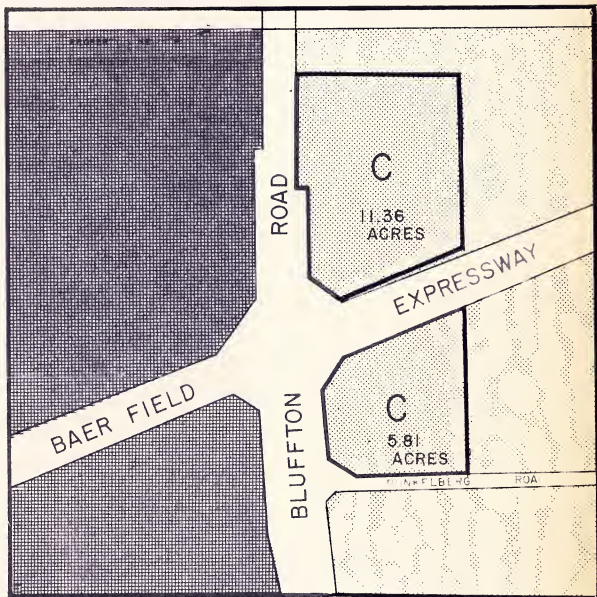
N

Z-72-09-17

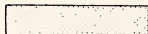


EXISTING LAND USE MAP

Z-72-09-17



PROPOSED LAND USE MAP



— LOW DENSITY RESIDENTIAL



— INDUSTRIAL

N

Z-72-09-17

WITHDRAWAL OF Jenny ^{Bill} ORDINANCE NO. 2-72-09-17

On motion by Councilman Kraus, BILL NO. 2-72-09-17
seconded by _____,

that this Ordinance No. _____, is hereby withdrawn for no further
action by the Common Council of the City of Fort Wayne, Indiana, on Bill No.

WITHDRAWN by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>to-wit</u>
<u>BURNS</u>	<u>6</u>	<u>0</u>	_____	<u>3</u>	_____
<u>HINGA</u>	✓	_____	_____	_____	_____
<u>KRAUS</u>	✓	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	✓	_____
<u>MOSES</u>	✓	_____	_____	_____	_____
<u>D. SCHMIDT</u>	✓	_____	_____	_____	_____
<u>V. SCHMIDT</u>	_____	_____	_____	✓	_____
<u>STIER</u>	✓	_____	_____	_____	_____
<u>TALARICO</u>	✓	_____	_____	_____	_____

DATE: 12/28/72 _____
CITY CLERK

ATTEST: (SEAL)

Samuel J. Talarico
PRESIDING OFFICER

Charles W. Klusman
CITY CLERK

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____
Intended Use _____

We, Theodore F. Hagerman and William O. Hagerman,
(Applicant's Name or Names)
do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne,
Indiana, by reclassifying from a/an RB District to a/an B-4
District the property described as follows:

Part of the Southwest quarter of Section 34, Township 30 North, Range
12 East in Allen County, Indiana, more particularly described as fol-
lows, to-wit:

Beginning at a point 40 feet East of the Northwest corner of the South
half of the Southwest quarter of Section 34, Township 30 North, Range
12 East in Allen County, Indiana, said point being also situated on the
East right of way line of State Road 1; thence North 362 feet along said
East right of way line of State Road 1; thence East 535 feet parallel to
the South line of the North half of Southwest quarter; thence South 847
feet parallel to West line of Southwest quarter to the North right of way
of Baer Field Expressway; thence Southwest and Northwest 572 feet
along said right of way of Expressway to the East right of way line of
State Road 1; thence North along said East right of way line of State
Road 1 a distance of 400 feet to a point 60 feet East of West line of
Section 34; thence West 20 feet; thence North 170 feet parallel with
said West line of Section 34 to the place of beginning, containing
11.36 acres, more or less.

AND ALSO

Part of the South half of the Southwest quarter of Section 34, Town-
ship 30 North, Range 12 East in Allen County, Indiana, more particul-
arly described as follows, to-wit:

Beginning at a point 575 feet East and 20 feet North of the Southwest
corner of the Southwest quarter of Section 34, Township 30 North,
Range 12 East in Allen County, Indiana; thence North 650 feet parallel
to West line of Southwest quarter to the South right of way line of Baer
Field Expressway; thence Southwest 225 feet along said right of way to
a point 93.5 feet Southeast of centerline of expressway; thence contin-
uing Southwest 145 feet along right of way to point 100.42 feet South-
east of centerline of expressway; thence continuing Southwest 103 feet
along said right of way to a point 113 feet Southeast of centerline of
expressway; thence Southwest 140 feet along said right of way to a
point on the East right of way line of State Road 1, said point being
72 feet East of the centerline of State Road 1; thence South 225 feet
along East right of way line of State Road 1 to point 72 feet East of said
centerline; thence Southeast 145 feet along said East right of way line
of State Road 1 to a point 177 feet East of said centerline and 20 feet
North of the South line of Section 34; thence East 363 feet parallel to
said South line of Section to the point of beginning, containing 5.81
acres, more or less.

visement shall be filed in writing in the Office of the City Plan Commission
by noon on the Wednesday preceding the meeting of the City Plan Commission
at which the ordinance is to be considered. If the request for a continuance
or advisement is filed within the required time, the matter will not be put
on the agenda for that meeting. It shall be the obligation of the petitioner
to notify the same property owners which the Plan Commission had notified by
mail that the hearing has been postponed or rescheduled and inform them of
the time and place of the meeting at which the ordinance will be considered.
All withdrawals of ordinances must be made in writing prior to the Plan Com-
mission's vote on the ordinance.

Name and address of preparer, attorney or agent:

MICHAEL H. KAST 305 Lincoln Bank Tower 743-5366
(Name) (Address) (Telephone Number)
Fort Wayne, Indiana 46802
City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

8-2-52 S.J. & G. DETTMER

SECTION 33 S. R. 16 E.

SECTION 34

107A

1029A

1020

581A

BAER FIELD EXPRESSWAY

DUNKELBERG ROAD

N.W. Cor Sec. 3

S.W. Cor Sec. 34

SECTION 4

SECTION 3

1025

1015

1010

1005

1000

995

990

985

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N. B. Knapke Company, Inc.

Realtors

LEASES • APPRAISALS • PROPERTY • DEVELOPMENT — MANAGEMENT

1510 LINCOLN BANK TOWER • FORT WAYNE, INDIANA 46802 • 219 / 742-9494

INDUSTRIAL  COMMERCIAL

December 14, 1972

Mr. Charles W. Westerman
City Clerk
City of Fort Wayne
Fort Wayne, Indiana

Dear Mr. Westerman:

Will you please direct this communication to the Common Council of the City of Fort Wayne wherein the owners request that the Zoning Ordinance No. Z-72-09-17, covering certain land as described in it, be withdrawn.

Thank you for your cooperation in this matter.

Cordially yours,

NBK/hd


NORBERT B. KNAPKE

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	2-72-09-17
ORDINANCE NO.	
<input checked="" type="checkbox"/> REGULAR SESSION	
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	<i>Logan</i>
BILL WRITTEN BY	
DATE INTRODUCED	9-26-72
REFERRED TO SAID STANDING COMMITTEE	<i>Regulation</i>
<input checked="" type="checkbox"/> REFERRED TO CITY PLAN	
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
PASS	
DO NOT PASS	
<input checked="" type="checkbox"/> WITHDRAWN	12-28-72
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

<input checked="" type="checkbox"/>	COMMITTEE SHEET
<input checked="" type="checkbox"/>	VOTE SHEET
	PURCHASE ORDERS
	<i>Petition to sign</i>
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	<i>Knappe</i> COMMUNICATIONS FROM
<input checked="" type="checkbox"/>	ZONING MAPS
	ABSTRACTS
	<i>Receipts</i>
	TITLES
	PRIOR APPROVAL LETTER

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS			
HINGA			
KRAUS			
MOSES			
NUCKOLS			
D. SCHMIDT			
V. SCHMIDT			
STIER			
TALARICO			

COMMENTS:

*Mr Knappe requests a
Withdrawal of Ordinance
Letter attached*